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500.43007X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Y. FUKUDA, et al.

Serial No.: 10/634,769

Filing Date: August 6, 2003

For: PERFORMANCE INFORMATION MONITORING SYSTEM,

METHOD AND PROGRAM

Attention: MS Missing Parts

SUBMISSION OF DECLARATION UNDER 37 CFR §1.63

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 November 19, 2003

Sir:

In the matter of the above-identified application, which was originally filed on August 6, 2003 without a Declaration, and responsive to the Notice to File Missing Parts of Application Filing Date Granted dated November 10, 2003, please find attached hereto a Declaration for submission under 37 CFR §1.63, executed by each of the inventors in the above-identified application.

A Credit Card Payment Form authorizing the requisite \$130.00 fee is attached. Should any additional fees become due in connection with the filing of this Declaration, please charge Deposit Account No. 01-2135 (Case No. 500.43007X00).

Respectfully submitted,

Carl I Brundidge

Registration No. 29,621

ANTONELLI, TERRY, STOUT & KRAUS, LLP

CIB/jdc Enclosures 703/312-6600

W1096-01

PTO/SB/106(5-00)
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Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

NOV 1 9 2003	nese Langua	ge Declaration
RADEMARKO	日本語宣	
私は、以下に記名された発明者として、ここに下記の通	値り宣言する :	As a below named inventor, I hereby declare that:
私の住所、郵便の宛先そして国籍は、私の氏名の後に りである。	に記載された通	My residence, post office address and citizenship are as stated next to my name.
下記の名称の発明について、特許請求範囲に記載され 求められている発明主題に関して、私は、最初、最先上 者である(唯一の氏名が記載されている場合)か、或 且つ共同発明者である(複数の氏名が記載されている場 いる。	Lつ唯一の発明 いは最初、最先	I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
		PERFORMANCE INFORMATION MONITORING SYSTEM.
		METHOD AND PROGRAM
上記発明の明細書はここに添付されているが、下記のされている場合は、この限りでない : に日に出願され、この出願の米国出願番号またはPCT国際出願番であり、且つの日に補正された出願(計	4号は、	The specification of which is attached hereto unless the following box is checked: X was filed on
. 私は、上記の補正書によって補正された、特許請求領明細書を検討し、且つ内容を理解していることをここに		I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.
私は、連邦規則法典第37編規則1.56に定義され 性について重量な情報を開示する義務があることを認め		I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1:56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC

Japanese Language Declaration (日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の 出願、或いは米国以外の少なくとも一国を指定している米国法典第3 5編題365条(a)によるPCT国際出願について、同第119条(a) -(d)項又は第365条(b)項に基づいて優先権を主張するとともに、

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International apllication which designated at least one country other than the United States

+41 = 11 = 1 = 1 = 1 = 1 = 1	よりも前の出願日を有する外国での 或いはPCT国際出願については、 ェックすることにより示した。	listed below and have also identified any foreign application for patent or International application having a fil application for which priority is claim	inventor's certificate, or PCT ing date before that of the
Prior Foreign Application(s) 外国での先行出願			Priority Not Claimed 優先権主張なし
2003-112290		17/April/2003	🗆
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願日/月/年)	
(Number)	(Country)	(Day/Month/Year Filed)	
(番号)	(国名)	(出願日/月/年)	
私は、ここに、下記のいかなる 国法典第35編119条(e)項の和	米国仮特許出願についても、その米川益を主張する。	I hereby claim the benefit under Title 119(e) of any United States provision	
(Application No.)	(Filing Date)	(Application No.)	(Filing Date)
(出願番号)	(出願日)	(出願番号)	(出願日)
典第35編第120条に基づく利 なるPCT国際出願についても、 を主張する。また、本出願の各特 35編第112条第1段に規定さ PCT国際出願に開示されていな 出願日と本国内出願日またはPC	る米国出願についても、その米国法益を主張し、又米国を指定するいかその同第365条(c)に基づく利益許請求の範囲の主題が、米国法典第れた態様で、先行する米国出願又はい場合においては、その先行出願の丁国際出願日との間の期間中に入手7編規則1.56に定義された特許示義務があることを承認する。	I hereby claim the benefit under Title 120 of any United States application international application designating and, insofar as the subject matter of application is not disclosed in the prelimentational application in the mann of Title 35, United States Code Section to disclose information which is mat Title 37, Code of Federal Regulation available between the filing date of the national or PCT International filing of the section of th	n(s), or 365(c) of any PCT the United States, listed below f each of the claims of this rior United States or PCT her provided by the first paragraph tion 112, I acknowledge the duty erial to patentability as defined in his, Section 1.56 which became the prior application and the
(Application No.)	(Filing Date)	(Status: Patented, Pending,	
(出願番号)	(出願日)	(現況 : 特許許可、係属中	
(Application No.)	(Filing Date)	(Status: Patented, Pending,	
(出願番号)	(出願日)	(現況 : 特許許可、係属中	
を宣言し、さらに、故意に虚偽の	知識に係わる陳述が真実であり、 述が、真実であると信じられること 「なびなどを行った場合は、米国法典	I hereby declare that all statements knowledge are true and that all state and belief are believed to be true; a	ements made on information nd further that these statements

により処罰され、またそのような故意による虚偽の陳述は、本出願ま たはそれに対して発行されるいかなる特許も、その有効性に問題が生 ずることを理解した上で陳述が行われたことを、ここに宣言する。

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Japanese Language Declaration (日本語宣言書)

委任状: 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

Donald R. Antonelli, Reg. No. 20,296; David T. Terry, Reg. No. 20,178; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973 and Carl I. Brundidge, Reg. No. 29,621.

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直通電話連絡先 : (氏名及び電話番号)

(第三以下の共同発明者についても同様に記載し、署名を

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第六共同発明者がいる場合、その氏名	- .	Full name of sixth joint inventor, if any	1
第六共同発明者の署名	日付	Sixth inventor's signature Date	
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国籍		Citizenship	1
郵便の宛先		Post office Address	1